

ASSEMBLY BILL

No. 3047

**Introduced by Committee on Transportation (Oropeza (Chair),
Berg, Chan, Chu, Kehoe, Liu, Longville, Nakano, Parra, Pavley,
and Salinas)**

March 1, 2004

An act to amend Section 470 of the Streets and Highways Code, and to amend Section 5201 of the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 3047, as introduced, Committee on Transportation. Transportation.

(1) Existing law provides that the Department of Transportation shall have full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a traversable highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish a portion of State Highway Route 170 in the City of Los Angeles under certain conditions.

(2) Existing law provides for the issuance of special identification license plates and distinguishing placards to persons with disabilities.

This bill would correct an erroneous cross-reference in this regard.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 470 of the Streets and Highways Code is amended to read:

470. (a) Route 170 is from:

~~(a)~~

(1) Los Angeles International Airport to Route 90.

~~(b)~~

(2) Route 2 to Route 101 in Los Angeles.

~~(c)~~

(3) Route 101 near Riverside Drive to Route 5 near Tujunga Wash.

(b) (1) *Notwithstanding subdivision (a), the commission may relinquish to the City of Los Angeles the portion of Route 170 that is described in paragraph (2) of subdivision (a), pursuant to the terms of a cooperative agreement between the city and the department, upon a determination by the commission that the relinquishment is in the best interests of the state.*

(2) *A relinquishment under this subdivision shall become effective immediately following the recordation by the county recorder of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.*

(3) *On and after the effective date of the relinquishment, both of the following shall apply:*

(A) *The portion of Route 170 relinquished under this subdivision shall cease to be a state highway.*

(B) *The portion of Route 170 relinquished under this subdivision may not be considered for future adoption under Section 81.*

SEC. 2. Section 5201 of the Vehicle Code is amended to read:

5201. License plates shall at all times be securely fastened to the vehicle for which they are issued so as to prevent the plates from swinging, shall be mounted in a position so as to be clearly visible, and shall be maintained in a condition so as to be clearly legible. The rear license plate shall be mounted not less than 12 inches nor more than 60 inches from the ground, and the front license plate shall be mounted not more than 60 inches from the ground, except as follows:

1 (a) The rear license plate on a tow truck may be mounted on the
2 left-hand side of the mast assembly at the rear of the cab of the
3 vehicle, not less than 12 inches nor more than 90 inches from the
4 ground.

5 (b) The rear license plate on a tank vehicle hauling hazardous
6 waste, as defined in Section 25117 of the Health and Safety Code,
7 or asphalt material may be mounted not less than 12 inches nor
8 more than 90 inches from the ground.

9 (c) The rear license plate on a truck tractor may be mounted at
10 the rear of the cab of the vehicle, not less than 12 inches nor more
11 than 90 inches from the ground.

12 (d) The rear license plate of a vehicle designed by the
13 manufacturer for the collection and transportation of garbage,
14 rubbish, or refuse that is used regularly for the collection and
15 transportation of that material by any person or governmental
16 entity employed to collect, transport, and dispose of garbage,
17 rubbish, or refuse may be mounted not less than 12 inches nor more
18 than 90 inches from the ground.

19 (e) The rear license plate on a two-axle livestock trailer may be
20 mounted 12 inches or more, but not more than 90 inches, from the
21 ground.

22 (f) No covering may be used on license plates except as
23 follows:

24 (1) The installation of a cover over a lawfully parked vehicle
25 to protect it from the weather and the elements does not constitute
26 a violation of this subdivision. Any peace officer or other regularly
27 salaried employee of a public agency designated to enforce laws,
28 including local ordinances, relating to the parking of vehicles may
29 temporarily remove so much of the cover as is necessary to inspect
30 any license plate, tab, or indicia of registration on a vehicle.

31 (2) The installation of a license plate security cover is not a
32 violation of this subdivision if the device does not obstruct or
33 impair the recognition of the license plate information, including,
34 but not limited to, the issuing state, license plate number, and
35 registration tabs, and the cover is limited to the area directly over
36 the top of the registration tabs. No portion of a license plate
37 security cover shall rest over the license plate number.

38 (g) No casing, shield, frame, border, or other device that
39 obstructs or impairs the reading or recognition of a license plate by
40 a remote emission sensing device, as specified in Sections 44081

1 and 44081.6 of the Health and Safety Code, shall be installed on,
2 or affixed to, a vehicle.

3 (h) (1) It is the Legislature's intent that an accommodation be
4 made to persons with disabilities and to those persons who
5 regularly transport persons with disabilities, to allow the removal
6 and relocation of wheelchair lifts and wheelchair carriers without
7 the necessity of removing and reattaching the vehicle's rear license
8 plate. Therefore, it is not a violation of this section if the reading
9 or recognition of a rear license plate is obstructed or impaired by
10 a wheelchair lift or wheelchair carrier and all of the following
11 requirements are met:

12 (A) The owner of the vehicle has been issued a special
13 identification license plate pursuant to Section 5007, or the person
14 using the wheelchair that is carried on the vehicle has been issued
15 a distinguishing placard under Section ~~12511.55~~ 22511.55.

16 (B) (i) The operator of the vehicle displays a decal, designed
17 and issued by the department, that contains the license plate
18 number assigned to the vehicle transporting the wheelchair.

19 (ii) The decal is displayed on the rear window of the vehicle,
20 in a location determined by the department, in consultation with
21 the Department of the California Highway Patrol, so as to be
22 clearly visible to law enforcement.

23 (2) Notwithstanding any other provision of law, if a decal is
24 displayed pursuant to this subdivision, the requirements of this
25 code that require the illumination of the license plate and the
26 license plate number do not apply.

27 (3) The department shall adopt regulations governing the
28 procedures for accepting and approving applications for decals,
29 and issuing decals, authorized by this subdivision.

30 (4) This subdivision does not apply to a front license plate.

